
IN THE

Supreme Court of the United States

OCTOBER TERM, A.D. 1964

STATE OF ILLINOIS,

Plaintiff,

vs.

STATE OF MISSOURI,

Defendant.

No. 18 ORIGINAL

(Harvey M.
Johnsen,

Senior Judge
Special Master)

STIPULATION OF FACTS

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STIPULATION OF FACTS

It is hereby agreed to by and between the parties as follows:

1. That attached hereto and incorporated herein as part of this Stipulation are accurate legal descriptions of the four possible interstate boundary lines, any one of which could be determined by the Court to be the proper and correct interstate boundary line established by the evidence and legal arguments related to this case.

2. That if, on the basis of the Court's findings of fact and conclusions of law, the State of Illinois is entitled to have its territorial and sovereignty claim to the entire area involved in this law suit, the area generally referred to in the testimony and specifically referred to in the Master's Report as "Kaskaskia Island," "Beaver Island," Roth Island" and "Cottonwoods," then the appropriate and ac-

curate interstate boundary line between the States of Illinois and Missouri is and will be the line legally described in Attachment "A" hereto.

3. That if, on the basis of the Court's findings of fact and conclusions of law, the State of Illinois is entitled to have its territorial and sovereignty claim to the area generally referred to in the testimony and specifically referred to in the Master's Report as "Kaskaskia Island," "Beaver Island" and "Roth Island" (but not the "Cottonwoods"), then the appropriate and accurate interstate boundary line between the States of Illinois and Missouri is and will be the line legally described in Attachment "B" hereto.

4. That if, on the basis of the Court's findings of fact and conclusions of law, the State of Illinois is entitled to have its territorial and sovereignty claim to the area generally referred to in the testimony and specifically referred to in the Master's Report as "Kaskaskia Island" and "Beaver Island" (but not "Roth Island" or the "Cottonwoods"), then the appropriate and accurate interstate boundary line between the States of Illinois and Missouri is and will be the line legally described in Attachment "C" hereto.

5. That if, on the basis of the Court's findings of fact and conclusions of law, the State of Illinois is entitled to have its territorial and sovereignty claim to only the area generally referred to in the testimony and specifically referred to in the Master's Report as "Kaskaskia Island" (but not "Beaver Island," "Roth Island" or the "Cottonwoods"), then the appropriate and accurate interstate boundary line between the States of Illinois and Missouri is and will be the line legally described in Attachment "D" hereto.

6. That the Court in setting forth its findings of fact, conclusions of law, recommended Decree and Final Judgment Order may designate and define the interstate boundary between the State of Illinois and the State of Missouri in the area in question by reference to and by setting forth any one of the legal descriptions attached hereto.

7. That after the final decree and judgment order of the Court has been entered, representatives from both States will set boundary markers in accordance with the Court's Decree and Final Judgment Order.

8. All of the attached legal descriptions are hereby incorporated by reference into this Stipulation and entered into evidence by agreement and made a part of the record together with this Stipulation.

Dated: January 16, 1970.

STATE OF ILLINOIS

By: /s/ WILLIAM J. SCOTT

(By Terence F. MacCarthy,
Special Assistant Attorney General),

WILLIAM J. SCOTT,

Attorney General of the State of Illinois.

STATE OF MISSOURI

By: /s/ JOHN C. DANFORTH,

(By Merle H. Silverstein,
General Counsel).

JOHN C. DANFORTH,

Attorney General of the State of Missouri.

KASKASKIA ISLAND, BEAVER ISLAND, ROTH ISLAND AND COTTONWOODS

Beginning at a point in present centerline of the Mississippi River at the intersection of the centerline of the Old Mississippi River said point being designated as the Southeasterly corner of Kaskaskia Island; thence following the centerline of the slough which is the approximate centerline of the Old Mississippi River, described more particularly by the following courses and distances: S $39^{\circ} 30'$ W, 2100 feet; thence S $55^{\circ} 30'$ W, 900 feet; thence S $34^{\circ} 30'$ W, 850 feet; thence N $83^{\circ} 00'$ W, 500 feet; thence S $61^{\circ} 00'$ W, 1000 feet; thence S $42^{\circ} 30'$ W, 2500 feet; thence S $37^{\circ} 00'$ W, 4000 feet; thence S $45^{\circ} 00'$ W, 2000 feet; thence S $56^{\circ} 30'$ W, 4600 feet; thence S $63^{\circ} 00'$ W, 2150 feet; thence S $79^{\circ} 30'$ W, 1525 feet; thence N $86^{\circ} 30'$ W, 4500 feet; thence N $70^{\circ} 00'$ W, 5050 feet; thence N $57^{\circ} 30'$ W, 3850 feet; thence N $46^{\circ} 00'$ W, 1550 feet; thence N $24^{\circ} 00'$ W, 5650 feet; then N $39^{\circ} 00'$ W, 1800 feet; thence N $17^{\circ} 00'$ W, 1900 feet; thence N $25^{\circ} 30'$ W, 3150 feet; thence N $32^{\circ} 00'$ W, 1580 feet; thence N $4^{\circ} 30'$ W, 3250 feet; thence N $53^{\circ} 45'$ E, 3300 feet; thence N $69^{\circ} 00'$ E, 1050 feet; thence N $19^{\circ} 00'$ E, 2350 feet; thence N $75^{\circ} 00'$ E, 350 feet to a point at the northwest corner of Kaskaskia Island; thence N $75^{\circ} 00'$ E, 1900 feet along a line departing from the existing slough; thence N $43^{\circ} 00'$ E, 2900 feet; then N $12^{\circ} 00'$ E, 1500 feet; thence N $10^{\circ} 00'$ W, 1400 feet to a point in the centerline of a slough at the south side of Roth Island; thence along the centerline of said slough N $74^{\circ} 00'$ W, 726 feet; thence N $62^{\circ} 00'$ W, 528 feet; thence N $37^{\circ} 30'$ W, 495 feet; thence N $15^{\circ} 30'$ W, 528 feet; thence N $14^{\circ} 00'$ E, 495 feet; thence N $19^{\circ} 00'$ E, 1150 feet; thence N $24^{\circ} 00'$ W, 1300 feet to the centerline of the Mississippi River.

KASKASKIA ISLAND, BEAVER ISLAND, AND ROTH ISLAND

Beginning at a point in present centerline of the Mississippi River at the intersection of the centerline of the Old Mississippi River said point being designated as the Southeasterly corner of Kaskaskia Island; thence following the centerline of the slough which is the approximate centerline of the Old Mississippi River, described more particularly by the following courses and distances: S $39^{\circ} 30'$ W, 2100 feet; thence S $55^{\circ} 30'$ W, 900 feet; thence S $34^{\circ} 30'$ W, 850 feet; thence N $83^{\circ} 00'$ W, 500 feet; thence S $61^{\circ} 00'$ W, 1000 feet; thence S $42^{\circ} 30'$ W, 2500 feet; thence S $37^{\circ} 00'$ W, 4000 feet; thence S $45^{\circ} 00'$ W, 2000 feet; thence S $56^{\circ} 30'$ W, 4600 feet; thence S $63^{\circ} 00'$ W, 2150 feet; thence S $79^{\circ} 30'$ W, 1525 feet; thence N $86^{\circ} 30'$ W, 4500 feet; thence N $70^{\circ} 00'$ W, 5050 feet; thence N $57^{\circ} 30'$ W, 3850 feet; thence N $46^{\circ} 00'$ W, 1550 feet; thence N $24^{\circ} 00'$ W, 5650 feet; thence N $39^{\circ} 00'$ W, 1800 feet; thence N $17^{\circ} 00'$ W, 1900 feet; thence N $25^{\circ} 30'$ W, 3150 feet; thence N $32^{\circ} 00'$ W, 1580 feet; thence N $4^{\circ} 30'$ W, 3250 feet; thence N $53^{\circ} 45'$ E, 3300; thence N $69^{\circ} 00'$ E, 1050 feet; thence N $19^{\circ} 00'$ E, 2350 feet; thence $75^{\circ} 00'$ E, 350 feet to a point at the northwest corner of Kaskaskia Island; thence S $47^{\circ} 00'$ E, 250 feet; thence N $81^{\circ} 00'$ E, 1050 feet; thence S $78^{\circ} 00'$ E, 600 feet; thence N $88^{\circ} 45'$ E, 1551 feet; thence N $70^{\circ} 45'$ E, 709 feet; thence N $48^{\circ} 30'$ E, 2986 feet; thence N $51^{\circ} 45'$ E, 627 feet; thence N $81^{\circ} 45'$ E, 990 feet; thence N $62^{\circ} 45'$ E, 495 feet; thence N $40^{\circ} 00'$ E, 2937 feet; thence N $28^{\circ} 00'$ E, 528 feet; thence N $04^{\circ} 00'$ E, 429 feet; thence N $12^{\circ} 00'$ W, 759 feet; thence N $6^{\circ} 00'$ E, 412 feet; thence N $33^{\circ} 00'$ E, 264 feet; to a point which intersects the centerline of a slough at the south side of Beaver Island; thence along the centerline of

said slough S 85° 00' W, 924 feet; thence S 79° 00' W, 775 feet; thence N 88° 00' W, 1452 feet; to a point which intersects the centerline of a slough at the east side of Roth Island; thence along the centerline of said slough S 50° 00' W, 660 feet; thence S 45° 00' W, 891 feet; thence S 52° 00' W, 726 feet; thence S 66° 30' W, 462 feet; thence N 85° 30' W, 446 feet; thence N 74° 00' W, 726 feet; thence N 62° 00' W, 528 feet; thence N 37° 30' W, 495 feet; thence N 15° 30' W, 528 feet; thence N 14° 00' E, 495 feet; thence N. 19° 00' E, 1150 feet; thence N 24° 00' W, 1300 feet to the centerline of the Mississippi River.

KASKASKIA ISLAND AND BEAVER ISLAND

Beginning at a point in present centerline of the Mississippi River at the intersection of the centerline of the Old Mississippi River said point being designated as the Southeasterly corner of Kaskaskia Island; thence following the centerline of the slough which is the approximate centerline of the Old Mississippi River, described more particularly by the following courses and distances: S 39° 30' W, 2100 feet; thence S 55° 30' W, 900 feet; thence S 34° 30' W, 850 feet; thence N 83° 00' W, 500 feet; thence S 61° 00' W, 1000 feet; thence S 42° 30' W, 2500 feet; thence S 37° 00' W, 4000 feet; thence S 45° 00' W, 2000 feet; thence S 56° 30' W, 4600 feet; thence S 63° 00' W, 2150 feet; thence S 79° 30' W, 1525 feet; thence N 86° 30' W, 4500 feet; thence N 70° 00' W, 5050 feet; thence N 57° 30' W, 3850 feet thence N 46° 00' W, 1550 feet; thence N 24° 00' W, 5650 feet; thence N 39° 00' W, 1800 feet; thence N 17° 00' W, 1900 feet; thence N 25° 30' W, 3150 feet; thence N 32° 00' W, 1580 feet; thence N 4° 30' W, 3250 feet; thence N 53° 45' E, 3300 feet; thence N 69° 00' E, 1050 feet; thence N 19° 00' E, 2350 feet; thence N 75° 00'

E, 350 feet to a point at the northwest corner of Kaskaskia Island; thence S 47° 00' E, 250 feet; thence N 81° 00' E, 1050 feet; thence S 78° 00' E, 600 feet; thence N 88° 45' E, 1551 feet; thence N 70° 45' E, 709 feet; thence N 48° 30' E, 2986 feet; thence N 51° 45' E, 627 feet; thence N 81° 45' E, 990 feet; thence N 62° 45' E, 495 feet; thence N 40° 00' E, 2937 feet; thence N 28° 00' E, 528 feet; thence N 04° 00' E, 429 feet thence N 12° 00' W, 759 feet; thence N 6° 00' E, 412 feet; thence N 33° 0' E, 264 feet; to a point which intersects the centerline of a slough at the south side of Beaver Island; thence along the centerline of said slough S 85° 00' W, 924 feet; thence S 79° 00' W, 775 feet; thence N 88° 00 W, 1452 feet; thence N 23° 00' W, 825 feet; thence N 20° 00' W, 3000 feet to the centerline of the Mississippi River.

KASKASKIA ISLAND

Beginning at a point in present centerline of the Mississippi River at the intersection of the centerline of the Old Mississippi River said point being designated as the Southeasterly corner of Kaskaskia Island; thence following the centerline of the slough which is the approximate centerline of the Old Mississippi River, described more particularly by the following courses and distances: S 39° 30' W, 2100 feet; thence S 55° 30' W, 900 feet; thence S 34° 30' W, 850 feet; thence N 83° 00' W, 500 feet; thence S 61° 00' W, 1000 feet; thence S 42° 30' W, 2500 feet; thence S 37° 00' W, 4000 feet; thence S 45° 00' W, 2000 feet; thence S 56° 30' W, 4600 feet; thence S 63° 00' W, 2150 feet; thence S 79° 30' W, 1525 feet; thence N 86° 30' W, 4500 feet; thence N 70° 00' W, 5050 feet; thence N 57° 30' W, 3850 feet; thence N 46° 00' W, 1550 feet; thence N 24° 00' W, 5650 feet; thence N 39° 00' W, 1800 feet;

thence N 17° 00' W, 1900 feet; thence N 25 30' W' 3150 feet; thence N 32° 00' W, 1580 feet; thence N 4° 30' W, 3250 feet; thence N 53° 45' E, 3300 feet; thence N 69° 00' E, 1050 feet; thence N 19° 00' E, 2350 feet; thence N 75° 00' E, 350 feet to a point at the Northwest corner of Kaskaskia Island; thence S 47° 00' E, 250 feet; thence N 81° 00' E, 1050 feet; thence S. 78° 00' E, 600 feet; thence N 88° 45' E, 1551 feet; thence N 70° 45' E, 709 feet; thence N 48° 30' E, 2986 feet; thence N 51° 45' E, 627 feet; thence N 81° 45' E, 990 feet; thence N 62° 45' E, 495 feet; thence N 40° 00' E, 2937 feet; thence N 28° 00' E, 528 feet; thence N 04° 00' E, 429 feet; thence N 12° 00' W, 759 feet; thence N 6° 00' E, 412 feet; thence N 33° 00' E, 264 feet; thence N 69° 00' E, 644 feet; thence N 76° 30' E, 1485 feet to the Northeast corner of the Southwest Quarter of Section 27, Township 38 North, Range 7 West of the Third Principal Meridian; thence North 48° 00' E, 1400 feet to the present centerline of the Mississippi River.

